

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JPMORGAN CHASE BANK, N.A.,	:	
	:	
	:	_____ Civ. _____ (     )
Plaintiff,	:	
	:	
- against -	:	<b>ORDER TO SHOW CAUSE</b>
	:	<b>FOR PRELIMINARY</b>
VTB BANK, P.J.S.C.,	:	<b>INJUNCTION</b>
	:	<b>AND</b>
Defendant.	:	<b>TEMPORARY</b>
	:	<b><u>RESTRAINING ORDER</u></b>
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UPON the accompanying Declarations of Craig T. Cagney, dated April 18 2024, and all exhibits thereto; the supporting Declarations of JPMorgan employees Denice Richarts and Donna Mainetti, dated April 5, 2024 and April 8, 2024 respectively, and all exhibits thereto; the supporting declaration of Konstantin Kroll, dated April 17, 2024, and all exhibits thereto; the Memorandum of Law in Support of Plaintiff JPMorgan Chase Bank, N.A.’s (“JPMorgan”) Motion for an *Ex Parte* Temporary Restraining Order and Preliminary Anti-Suit Injunction (the “Motion”); and JPMorgan’s complaint, it is

ORDERED that Defendant VTB Bank, P.J.S.C. (“VTB”) shall show cause before the Honorable \_\_\_\_\_ on the \_\_\_\_\_ day of April, 2024, at \_\_\_\_\_, or as soon thereafter as counsel can be heard, in Courtroom \_\_\_\_, Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, 10007, why an order should not be entered pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining VTB from continuing its claim against JPMorgan and its affiliates pending in the

Arbitrazh court of the city of Saint-Petersburg and Leningrad region (the “Russian Action”), requiring VTB to discontinue the Russian Action, and enjoining VTB from pursuing any other litigation against JPMorgan or its affiliates concerning the correspondent bank account held at JPMorgan ending in \*7557 in any jurisdiction other than in the federal and state courts of New York, during the pendency of this action; and it is further

ORDERED that, based on JPMorgan’s showing of irreparable harm caused by VTB’s commencement and maintenance of the Russian Action in violation of the forum selection clause in the parties’ agreement, VTB is TEMPORARILY RESTRAINED pursuant to Fed. R. Civ. P. 65(b)(1) and ENJOINED pending the hearing on JPMorgan’s application for a preliminary injunction (i) from continuing the Russian Action and must discontinue it immediately, and (ii) from pursuing any other litigation against JPMorgan or its affiliates concerning the correspondent bank account held at JPMorgan ending in \*7557 in any jurisdiction other than in the federal and state courts of New York; and it is further

ORDERED that this Temporary Restraining Order shall issue without prior notice to VTB based on JPMorgan’s showing that VTB may use such notice to obtain a conflicting anti-suit injunction from a Russian court; and it is further

ORDERED that, based on JPMorgan’s showing that VTB is not likely to suffer any harm by complying with the Temporary Restraining Order pending the hearing on JPMorgan’s application for a preliminary injunction, JPMorgan shall not be required to post any security; and it is further

ORDERED that a copy of this Order and a certified Russian translation of this Order, along with JPMorgan’s Motion and the supporting papers, shall be served on VTB in a manner

consistent with Section 13 of the Account Terms, on or before \_\_\_\_\_ o'clock in the \_\_\_\_\_, \_\_\_\_\_, which is deemed good and sufficient service; and it is further

ORDERED that this Temporary Restraining Order shall be binding and take effect as soon as VTB has received or has actual notice of this Order; and it is further

ORDERED, that opposing papers, if any, shall be filed via ECF and served on counsel for JPMorgan, so as to be received no later than \_\_\_\_\_ p.m. on the \_\_\_\_\_ day of April 2024; and it is further

ORDERED, that reply papers, if any, shall be filed via ECF and served on VTB or any U.S. counsel that appears for VTB, so as to be received no later than \_\_\_\_\_ p.m. on the \_\_\_\_\_ day of April 2024; and it is further

ORDERED that, sufficient reason having been shown therefore, if VTB fails to appear at the above-scheduled hearing or file any opposition to JPMorgan's Motion by the above-referenced deadline, this Temporary Restraining Order shall automatically convert into a preliminary injunction, pursuant to Fed. R. Civ. P. 65(a), enjoining VTB from continuing the Russian Action and requiring VTB to discontinue the Russian Action, and enjoining VTB from pursuing any other litigation against JPMorgan or its affiliates concerning the correspondent bank account held at JPMorgan ending in \*7557 in any jurisdiction other than the federal and state courts of New York, during the pendency of this action; and it is further

ORDERED that, sufficient reason having been shown therefore, if VTB fails to timely answer or respond to the complaint and defaults in this action, any preliminary injunction shall automatically convert into a permanent injunction enjoining VTB from continuing the Russian Action and requiring VTB to discontinue the Russian Action, and enjoining VTB from pursuing any other litigation against JPMorgan or its affiliates concerning the correspondent bank account

held at JPMorgan ending in \*7557 in any jurisdiction other than the federal and state courts of New York, and such permanent injunction shall survive the dismissal of this action absent further order of this Court.

DATED: April \_\_\_\_\_, 2024

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United States District Judge